

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO.9744

IN THE MATTER OF:

Served July 14, 2006

Application of BEATRICE RAMONA FAYE)	Case No. AP-2006-116
HORSLEY, Trading as ASK)	
TRANSPORTATION SERVICES, for a)	
Certificate of Authority --)	
Irregular Route Operations)	

By application accepted for filing June 28, 2006, Beatrice Ramona Faye Horsley, a sole proprietor trading as ASK Transportation Services, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant proposes commencing operations with one van. Applicant proposes operating under a tariff containing rates for Medicaid transportation.

Applicant served as the president of A.S.K. Enterprises, Inc., which held WMATC Certificate No. 361 from February 20, 1998, until January 10, 2005, when it was revoked for willful failure to comply with a cease-and-desist order, Order No. 8236, and Article XI, Section 6(a) of the Compact.¹ A.S.K. Enterprises, Inc., was also assessed a \$750 civil forfeiture for operating three days without authority. To date, the civil forfeiture has not been paid and is still outstanding.

The history of Certificate No. 361 has a bearing on this application. The past conduct of an applicant is relevant to a determination of the applicant's compliance fitness.² Under the circumstances, applicant will be directed to explain why the Commission should not find applicant unfit given the failure of A.S.K. Enterprises, Inc., to comply with Commission requirements and pay the forfeiture.

¹ In re A.S.K. Enterprises, Inc., No. MP-04-152, Order No. 8495 (Jan. 10, 2005).

² See In re Business Logistics Group, L.L.C., t/a ATS, L.L.C., No. AP-2006-002, Order No. 9652 (June 15, 2006) (applicant's record of violations, or history of controlling companies with such a record, relevant to fitness determination); In re Rolifa Inc., No. AP-05-172, Order No. 9376 (Mar. 6, 2005) (same).

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than July 28, 2006, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than August 11, 2006, an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than August 11, 2006, a statement explaining why the Commission should not find applicant unfit given the failure of A.S.K. Enterprises, Inc., to comply with Commission Order No. 8236 and pay the \$750 civil forfeiture assessed in Order No. 8495.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing is August 11, 2006, and that copies must be served on applicant at 5008 Townsend Way, #C-5, Bladensburg, MD 20710.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'William S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director